



Entered on Docket
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Seventh Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Tapia Ranch Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Seventh Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Tapia Ranch Loan" ("Tapia Ranch Loan") [DE 8528] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Tapia Ranch Loan; and good
2 cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8528] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Tapia Ranch Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 _____ This Court has waived the requirement set forth in LR 9021(b)(1).
5 XXX No party appeared at the hearing or filed an objection to the motion.
6 _____ I have delivered a copy of this proposed order to all counsel who
7 appeared at the hearing, and any unrepresented parties who appeared
8 at the hearing, and each has approved or disapproved the order, or
9 failed to respond, as indicated below [list each party and whether the
10 party has approved, disapproved, or failed to respond to the
11 document]:

12 Counsel appearing: _____

13 _____ I certify that this is a case under Chapter 7 or 13, that I have served a
14 copy of this order with the motion pursuant to LR 9014(g), and that
15 no party has objected to the form or content of the order

16 U.S. Trustee: _____	
17 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
18 <input checked="" type="checkbox"/> waived the right to review the 19 order and/or	<input type="checkbox"/> failed to respond to the document
20 Other Party: _____	
21 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
22 <input type="checkbox"/> waived the right to review the 23 order and/or	<input type="checkbox"/> failed to respond to the document

24 Submitted by:
25 LEWIS AND ROCA LLP

26 By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Tapia Ranch
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Tapia Ranch (Castiac Partners, LLC) Loan
10725-00245	9/26/2006	Robert H & Lynn R Perlman Trust Dated 9/17/92	C/O Robert H & Lynn R Perlman Ttees 2877 Paradise Rd Unit 3501 Las Vegas, NV 89109-5278	1,187,000.00	50,000.00
10725-01419	12/4/2006	S&P Davis Limited Partnership	737 Bannerman Lane Fort Mill, SC 29715	419,981.00	25,000.00
10725-02218	1/12/2007	Sanchez Living Trust Dtd 10/13/03	Randy M & Sharon Sanchez Ttees 5713 N White Sands Rd Reno, NV 89511	554,132.98	50,000.00
10725-02149	1/12/2007	Schnitzer Living Trust Dtd 10/24/91	Arthur F & Linn S Schnitzer Ttees 20155 NE 38Th Ct, #1604 Aventura, FL 33180	3,549,806.80	100,000.00
10725-00884	10/31/2006	Schumann, Kenneth	10 Town Plz #99 Durango, CO 81301	125,000.00	50,000.00
10725-00250	9/26/2006	Shirley J Sutton Trust	C/O Shirley J Sutton Trustee 1477 Bear Creek Dr Bishop, CA 93514-1947	75,000.00	50,000.00
10725-01036	11/6/2006	Sierra West Inc	Po Box 8346 Incline Village, NV 89452-8346	425,583.32	100,000.00
10725-02481	6/4/2007	Tobias Von Euw Revocable	Trust Dated 11/23/04 C/O Tobias Von Euw Trustee Sun City Aliante 7431 Lintwhite St North Las Vegas, NV 89084-2500	1,468,967.93	100,000.00
10725-01169	11/10/2006	Tomlin, Donald S	Donald S & Dorothy R Tomlin Ttee 7145 Beverly Glen Ave Las Vegas, NV 89110-4228	2,779,806.00	100,051.00
10725-02040	1/11/2007	Zappulla, Joseph G & Carol A	3128 E. Blue Sage Court Gilbert, AZ 85297	1,409,625.48	125,000.00
10725-02299	1/13/2007	Zawacki A California LLC	Po Box 5156 Bear Valley, CA 95223-5156	3,000,000.00	100,000.00

EXHIBIT A

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